

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

Claims 1 and 11 have been amended. Claim 8 has been canceled without prejudice or disclaimer. Claims 1-7 and 10-21 are now pending in the application, with claims 15-21 withdrawn from consideration as directed to a constructively non-elected invention. Claims 1, 11, and 15 are independent. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

Claim 1 has been amended to incorporate the features previously recited in claim 8. Instant claim 1 defines a bag manufacturing process in which "at least one part of the four seams of the film tube [is] formed by a joining process in which additional adhesive or extrudate joining material is applied on the seam." Claim 11 has been amended to even further emphasize the structural features of the bag product. Entry of each of the amendments is respectfully requested.

35 U.S.C. § 103(a) - Kitao and Watanabe

Claims 1-8 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,195,964 to Kitao in view of U.S. Patent No. 5,139,346 to Watanabe et al. (hereinafter "Watanabe").

The rejection of claims 1-8 and 10 under § 103(a) based on Kitao and Watanabe is respectfully deemed to be obviated. For at least the following reasons, the combined disclosures of Kitao and Watanabe would not have rendered obvious Applicants' claimed invention.

As indicated above, instant claim 1 defines a bag manufacturing process in which "at least one part of the four seams of the film tube [is] formed by a joining process in which additional adhesive or extrudate joining material is applied on the seam." The combined disclosures of Kitao and Watanabe do not teach all of Applicants' claim features.

Kitao discloses a process for forming an inner bag for loading into a cylindrical container. A moisture curing resin is then loaded into the inner bag. The inner bag consists of two hexagonal and two pentagonal sheets (polymer foils) that are bonded together by a heat sealing process.

Watanabe discloses a process for manufacturing a flexible container for granules. The container is made of three rectangular main sheets, an inlet sheet, and an outlet sheet. These sheets are first formed from a longitudinal raw material, and afterwards, the outer side edges of the sheets are sewn together in a container form-like manner.

Instant claim 1, however, defines a process for manufacturing a bag from a polymer and/or metal film material by cutting a film web into four film segments and connecting these

four film segments to form a film tube by four seams by a joining process in which additional adhesive or extrudate joining material is applied on the seam. Neither Kitao nor Watanabe teaches Applicants' claimed seam joining process feature. For that reason alone Applicants' claimed invention is patentable over the combined disclosures of Kitao and Watanabe.

Furthermore, a person skilled in the art would not combine the above-mentioned citations, because they are directed to a different technique field (i.e., bag manufacturing machines and not FFS-machines). And, assuming *arguendo*, even if a person skilled in the art did combine the teaching of Kitao with the teaching of Watanabe, it would result in a bag that has four sides made from a longitudinal raw material (film web), and in which the four sides are fixed together by a sewing or heat sealing process. It would not, however, lead him to Applicants' claimed process for manufacturing a bag in which the seams are joined by a process in which additional adhesive or extrudate joining material is applied on the seam.

Therefore, the combined disclosures of Kitao and Watanabe would not have rendered obvious the invention defined by instant claim 1. Claims 2-7 and 10 are allowable because they depend from claim 1, and for other reasons.

35 U.S.C. § 103(a) - Kitao, Watanabe, and GB '264

Claims 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kitao in view of Watanabe and further in view of GB 1,057,264 ("GB '264").

The rejection under § 103(a) is respectfully deemed to be obviated. Instant claim 11 defines "[a] tubular film roll comprising a film tube having four side walls cut from a single film web and four corresponding seams that join each of the four side walls to an adjacent side wall, *each of the seams including an applied layer of extruded heated adhesive located on an edge of each of the side walls*" (emphasis added).

First, the ground of rejection stated at Office Action page 6 is respectfully traversed. Contrary to the examiner's assertion, claim 11 is not a product-by-process claim. Claim 11 defines a tubular film roll. One claimed structural element of the roll that has (i) four side walls and (ii) four corresponding seams that join each of the four side walls to an adjacent side wall is the "seams [that include] an applied layer of extruded heated adhesive located on an edge of each of the side walls."

Second, neither Kitao nor Watanabe nor GB '264 teaches Applicants' claimed "seams [that include] an applied layer of extruded heated adhesive located on an edge of each of the side walls."

Therefore, the combined disclosures of Kitao, Watanabe, and GB '264 would not have rendered obvious the invention defined

by instant claim 11. Claims 12-14 are allowable because they depend from claim 11, and for other reasons.

35 U.S.C. § 102(b) - GB '264

Claims 11-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by GB '264.

The rejection under § 102(b) is respectfully deemed to be obviated. As indicated above, GB '264 fails to teach, *inter alia*, Applicants' claimed "seams [that include] an applied layer of extruded heated adhesive located on an edge of each of the side walls."

Since GB '264 does not meet each feature of the claimed invention, GB '264 does not anticipate the invention defined by Applicants' instant claim 11. Claims 12-14 are allowable because they depend from claim 11, and for other reasons.


In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an

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interview might expedite prosecution, the examiner is invited to
contact the undersigned.

Respectfully submitted,

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